

MAY 12 1999

Mr. Bob Edmiston, Attorney
616 Main Street
Tulsa, Oklahoma 74103

Dear Mr. Edmiston:

RE: Estate of Frances Sapp Peters
Tulsa Fuel & Manufacturing Superfund Site
Collinsville, Tulsa County, Oklahoma

Enclosed are three sheets pertaining to **Consent For Access onto Property and Agreement to Future Remedial Action Activities**. As was discussed by telephone, we would appreciate the appropriate signature/s on page three of this access easement to avoid any future delays in site activities. In addition, enclosed is a Site Location Map to acquaint you with site location to the general area.

If you have additional questions about this easement, the nature of environmental conditions at the Site, engineering matters, or the status of Site scheduled current or future activities, please contact me, at (214) 665-8521. However, if you have specific legal questions about the access easement request, please contact Joseph Compton, the EPA assigned site attorney, at (214) 665-8506.

Sincerely,

Ernest R. Franke PE, PLS
Remedial Project Manager (6SF-AP)
Project Management Section
Arkansas-Oklahoma-Texas Branch

Enclosures (3)

EFranke/arr:5-7-99:LTRTFMAE.

Compton

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CONSENT FOR ACCESS ONTO PROPERTY AND AGREEMENT TO FUTURE REMEDIAL ACTION ACTIVITIES

PROPERTY IDENTIFICATION: Tulsa Fuel & Manufacturing Superfund Site
Collinsville, Tulsa County, Oklahoma
Estate of Frances Sapp Peters

DESCRIPTION OF THE PROPERTY: The Tulsa Fuel & Manufacturing Superfund Site is located approximately 1 ½ miles south of the downtown district of the City of Collinsville, Oklahoma (Site Location Map Attached). The Site is located NE4 SE4 NE4 SEC31 and SW4 NW4 Sec.32 T22N R14E, with coordinates of 36° 20'45.59" north latitude and 95° 50'51.28" west longitude. The smelter area was located on or occupied about 80 acres of the approximately 100 acre Frances Sapp Peters Tract.

I hereby consent to officers, employees, and parties authorized by the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the following purposes:

1. The taking of such soil, water and air samples as may be determined by EPA and/or its agents to be necessary;
2. The sampling of any solids or liquids stored or disposed of on the property;
3. The drilling of holes and the installation of monitoring wells for subsurface investigation;
4. Other actions related to the investigation of surface or subsurface contamination;
5. The performance of a response action including, but not limited to, the following actions:
 - a. Provision of site security to prevent unauthorized access.
 - b. Use of heavy equipment (e.g. bulldozers, backhoes, cranes, truck, scrapers and earthmoving equipment) on the property.
 - c. Bulking of laboratory samples.

- d. Setting up means to access electricity from nearby power lines.
- e. Removal of contaminated waste from impoundment area and of contaminated soils on site.
- f. Locating a trailer for use by EPA officers, employees, and parties authorized by the EPA.
- g. Disposal of any solids or liquids stored on or disposed of on the property.
- h. Consolidation of contaminated on-site materials to occupy a minimum acreage, contained in a secured vault and capped with a vegetative aesthetic grass cover if found as the selected alternate of the focused feasibility study.
- i. Other actions necessary to mitigate releases or threats of releases of hazardous substances, pollutants or contaminants from the property.

I acknowledge that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. § 9601 et seq.

This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind.

Date

Signature

Printed or Typed Name of Signatory

Title (Owner or Appointed Agent of Owner)

Address

City

State

Zip Code

Date

Signature

Printed or Typed Name of Signatory

Title (Owner or Appointed Agent of Owner)

Address

City State Zip Code

Subscribed and acknowledged before me on this the _____ day of _____,
1999.

Notary Public in and for the State of Oklahoma

Notary Stamp

My Commission Expires:
